

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Residential Finance Corporation,	:	
Plaintiff,	:	
v.	:	Case No. 2:13-cv-1167
Daniel Jacobs, et al.,	:	JUDGE GEORGE C. SMITH
Defendants.	:	Magistrate Judge Kemp

ORDER

Defendants filed a motion for expedited discovery on January 27, 2014. The subject of the motion is a document (or documents) relating to an alleged impending business arrangement between Plaintiff Residential Finance Corporation and PMAC Lending Services, Inc., which, according to Defendants' recently-filed motion for a temporary restraining order, may involve an asset purchase. Defendants assert a need for the information on an expedited basis so that they can, if needed, obtain interim injunctive relief designed to protect Mr. Jacobs' interest in certain severance payments which, he claims, are owed to him by Plaintiff, and particularly to attempt to enforce an escrow provision of the severance agreement by way of a TRO or preliminary injunction.

The Court held two conferences on the motion during the week of February 3, 2014. As a result of these conferences, the Court has been advised that while negotiations for some type of deal are ongoing - something which, from the documents attached to the motion for a TRO, does not appear to be a particularly well-kept secret - the deal has not yet been finalized. There do exist,

however, documents which would shed light on the nature of the arrangement, and which would therefore be relevant to the question of whether liability for the counterclaims made in this case would be assumed by PMAC, and whether, absent some type of preliminary relief, any potential recovery by the defendants might be jeopardized by the asset sale.

Because these documents are relevant - perhaps even crucial - to the Court's determination of the pending TRO motion, and because this is a situation where time appears to be of the essence, the Court ordered, at the February 7, 2014 conference, that the motion for expedited discovery (Doc. 14) be granted and that the requested documents be produced, subject to the attorneys'-eyes-only provisions of the Agreed Protective Order (Doc. 17) by February 14, 2014. On or before that date, Plaintiff shall also file its response to the motion for a TRO. Any reply memorandum shall be filed by February 19, 2014. The TRO motion will then be decided on the written record.

/s/ Terence P. Kemp  
United States Magistrate Judge